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<b>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>			
<b>NOTICE OF APPEAL AND REQUEST FOR EXTENSION OF TIME PURSUANT TO 37 C.F.R. § 1.136(a)</b>		Docket Number: 1662/53002	
Application Number 09/887,204	Filing Date June 22, 2001	Examiner Blessing M. Fubara	Art Unit 1618
Invention Title RAPIDLY EXPANDING COMPOSITION FOR GASTRIC RETENTION AND CONTROLLED RELEASE OF THERAPEUTIC AGENTS, AND DOSAGE FORMS INCLUDING THE COMPOSITION		Inventors Moshe FLESHNER-BARAK et al.	

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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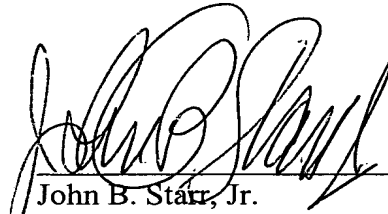
Kelly Fall

Sir:

1. Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Final Office Action dated August 22, 2005 finally rejecting claims 1-89, 97, 98 and 102-112.
2. Applicants hereby request a **three-month extension of time** to respond to the Final Office Action of August 22, 2005, which sets a three-month period for response. The extended period for response expires on **February 22, 2006**, and is considered timely filed.
3. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. 1.191 Notice of Appeal fee of **\$500.00** and the 37 C.F.R. § 1.136(a) three month extension fee of **\$1,020.00** to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.
4. The Commissioner is also authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. **11-0600**.
5. A copy of this form is enclosed for charging purposes.

Serial No. 09/887,204  
Docket Number 1662/53002  
August 22, 2005 Final Office Action Response  
Notice of Appeal and Request for Extension of Time

Respectfully submitted,



John B. Starr, Jr.  
Reg. No. 44,474

Date: February 22, 2006

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